

Hello, I am James H. Smith, president of the Connecticut Council on Freedom of Information, which has been advocating for open democratic government since 1955. Thank you for this time.

We oppose raised bill 5063, an act concerning the disclosure of Pardon applications.

The first mistake the General Assembly made was to erase history by erasing pardons and past crimes committed. Now there are plans to compound the error by erasing the present, or at least hiding it.

To legislate, to say, that a crime once committed, never was committed, is frankly Orwellian and right out of Joseph Heller's "Catch 22."

Now to argue that a convicted criminal applying for a pardon – which would make the crime disappear as if it had never happened – can apply for it in secret, simply makes a mockery of a judicial and criminal justice system in a democracy.

Heller's "Catch 22" critiqued so well bureaucratic operations and reasoning that inevitably results in a no-win situation; a military rule that is full of circular logic and self-contradictory decision-making. I would urge us all to re-read the iconic novel; along with George Orwell's "1984."

We need to return to democratic logic:

The people have a right to know how and why someone is arrested – there are not (yet) secret arrests in our society. The accused has a right to a public trial. It is one of an American citizen's basic rights. The people have a right to know, to observe, what happens in that trial. The people have a right to know what happens at a sentencing.

The people have a right to know what those who govern us are doing; whether they are serving a democratic society in a just and truthful manner. The more this legislature passes laws hiding what those in government do, or don't do from, the people, the farther we stray from the basic American precept that government is of, by and for the people.

Making pardon applications secret is simply anathema to democracy.

Thank you.